

Date

Name

Address

Sunnyvale, CA Zip

Subject: Planning Permit #xxxx-xxxx: Address (Name of Restaurant)

Dear Sir or Madam:

The Department of Community Development has reviewed your Miscellaneous Plan Permit application for outdoor dining at the Name of Restaurant located at the above reference address. The Department of Community Development will grant approval of this application subject to the following conditions of approval and attached site plan:

1. As required by Municipal Code, the proposed use shall comply with the requirements of the Noise Ordinance.
2. Outdoor dining uses shall be directly related to the main commercial use, and operated by the same personnel.
3. The permit for this operation is granted for a period of one year.
4. This permit shall become null and void if the outdoor seating use is not operated for a period of one year or more.
5. The accessory outdoor dining shall not encroach into any parking areas, landscape areas, loading or fire lanes.
6. The use shall not encroach into the frontage of the adjacent businesses.
7. The outdoor seating area shall not obstruct pedestrian movement or access from any doorway. A minimum distance of 5 feet shall be provided and maintained for pedestrian movement at all times.
8. The use shall not block access point to pedestrian crosswalks and shall be located at least fifteen feet from any driveway or fire hydrant.
9. Food preparation shall take place inside the eating establishment only.
10. No outside food displays are allowed
11. Condiments at outdoor tables shall be kept in closed containers
12. Tablecloths, placemats and napkins at outdoor tables shall not be made of paper.
13. Service ware (i.e. plates, cups, utensils) outdoor dining tables shall not be made of paper or plastic.
14. Tables with individual chairs are required (no bench seating). Each table shall accommodate no more than four persons.
15. Sun shades, umbrellas, planters or any other accessory structures and furnishings not indicated on the approved plans are subject to separate approval.
16. Outdoor heaters are prohibited in the public-right-of-way.
17. Umbrellas must be apart of the table assembly and cannot extend higher than eight feet above the sidewalk. Umbrellas cannot be free standing.

18. Outdoor furnishings shall be maintained in a safe and attractive condition and shall be constructed of either metal or wood. Plastic furniture shall be replaced by furniture of an approved design within three months of the granting of this permit.
19. Outdoor furnishings shall not be permanently affixed to the ground.
20. The dining area shall have a coordinated color scheme, preferably consisting of no more than two colors.
- ✓ 21. Provide ash cans and ashtrays for use by outdoor dining patrons.
22. All outdoor furnishings must be removed from the sidewalk during non-business hours and stored inside the business.
23. Do not remove, relocate, or modify any existing public street furnishings, such as, trash cans, benches, planters, light fixtures, etc.
24. Any addition to, or relocation of, the approved furniture (tables, chairs, lighting, planters, umbrellas, etc.) requires a new outdoor dining permit.
- 25. Application/business owner shall maintain the sidewalk and planter area of the outdoor dining area free and clear of all litter, including litter from smoking.
26. Food preparation and display shall be in accordance with regulations set forth by the Santa Clara County Health Department.
27. Alcoholic beverage service may be allowed in the outdoor dining area in accordance with regulations and permits set forth by the Department of Alcoholic Beverage Control (ABC). Any new accessory structures required by ABC (such as fencing or other elements to delineate the area of service) are subject to review and approval of Director of Community Development. Such elements must be compatible with the surrounding uses and the historic nature of the district, and they must not clutter the sidewalk, alter the view through the historic district, or prevent pedestrian movement.
28. Provide proof of commercial general liability insurance covering the use of the property and licensed area in an amount of not less than One Million Dollars (\$1,000,000) with an aggregate limit of Two Million (\$2,000,000); an endorsement naming the City of Sunnyvale, its Council, boards, commissions, officers, employees, volunteers, agents and employees as additional insureds; and a copy of the declarations or information page(s) for the policy. The general liability insurance must cover the property and endorsement must be completed prior to outdoor dining commencing. To expedite the process, the restaurant's insurance company may contact Barabara Coats, Risk and Insurance Manager directly at 408-730-7534 and fax the completed certificate.
29. The applicant shall execute a City hold harmless agreement and waiver prior to outdoor dining commencing.

If you have questions regarding this permit, please contact me at (408) 730-7591.
Thank you for your cooperation.

Sincerely,

Gerri Caruso
Principal Planner